

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Amendments of Parts 1, 21, 73, 74 and 101)	
Of the Commission's Rules to Facilitate the)	WT Docket No. 03-66
Provision of Fixed and Mobile Broadband)	RM-10586
Access, Educational and other Advanced)	
In the Services in the 2150-2162 and)	
2500-2690 MHz Bands)	
)	
Part 1 of the Commission's Rules –)	WT Docket No. 03-67
Further Competitive Bidding Procedures)	
)	
Amendment of Parts 21 and 74 to Enable)	
Multipoint Distribution Service and the)	MM Docket No. 97-217
Instructional Television Fixed Service to)	
Engage in Fixed Two-Way Transmissions)	
)	
Amendment of Parts 21 and 74 of the)	
Commission's Rules with Regard to)	WT Docket No. 02-68
Licensing in the Multipoint Distribution)	RM-9718
Service and in the Instructional Television)	
Fixed Service for the Gulf of Mexico)	

REPLY COMMENTS OF FLARION TECHNOLOGIES, INC.

Flarion Technologies, Inc. ("Flarion"), by counsel, respectfully submits these Reply Comments in response to the Commission's *Notice of Proposed Rulemaking* requesting comment on changes to the rules governing the licensing of Instructional Television Fixed Service (ITFS), Multipoint Distribution Service (MDS), and Multichannel Multipoint Distribution Service (MMDS) spectrum, as proposed by the Wireless Communications Association International, the National ITFS Association, and the Catholic Television Network (collectively, the "Coalition").

Flarion generally supports the Coalition band plan for the following reasons:

- Market forces will determine the preferred technologies for the band which will support equipment from various manufacturers.
- The band plan allows for the coexistence of different technologies and affords licensees the flexibility to switch between technologies over time in response to technological innovations.
- Equipment manufacturers will be able to develop and market cost-effective equipment permitting new technologies to flourish.
- Flexible use will allow equipment manufacturers to deploy quickly in both the Lower Band Segment and the Upper Band Segment.
- Flexible use will encourage the development of next-generation time division duplex ("TDD") and frequency division duplex (FDD) wireless broadband systems.
- The Coalition band plan resolves some potential interference issues for TDD and FDD systems in adjacent bands.
- Existing ITFS services will be migrated with sufficient protection to allow continued use of the spectrum for its original purpose.

In sum, the Coalition band plan will lead to usable spectrum for deploying competitive broadband services, while protecting existing licensees in the bands.

Respectfully submitted,

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